

Application No.: 09/837,911

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Docket No.: 495152000111

REMARKS/ARGUMENTS

In an Office Action dated April 9, 2004, claims 110-159 were rejected. By this amendment, claims 110, 113 and 142 have been amended. Claims 110-159 are pending.

I. Claims 142-159

In the Office Action, the Examiner asserted that, "claims 142-159 are directed to an invention that is independent or distinct from the invention originally claimed." The Examiner asserted that, "claims 113-118 does [sic] not require all of the specific features recited in claims 142-159 and vice versa." As an example, the Examiner noted that, "there is no requirement in claims 113-118 that a bath be divided by a first wall and at least a second wall.

Independent claim 113 has been amended to recite a "bath divided by a first wall and at least a second wall." Thus, Applicants request rejoinder and allowance of claims 142-159

II. Claim Rejections – 35 USC § 103

Claims 110-121, 124-127, 133-135, and 137-139 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,882,498 (the Dubin reference) in view of U.S. Patent No. 6,176,667 (the Fairbairn reference) and U.S. Patent No. 5,522,975 (the Andricacos reference). Claims 122-123 and 130-132 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Dubin reference in view of the Fairbairn reference, Andricacos reference, and U.S. Patent No. 6,497,801 (the Woodruff reference). Claims 128, 129, 140, and 141 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Dubin reference in view of the Fairbairn reference, Andricacos reference, and U.S. Patent No. 5,925,227 (the Kobayashi reference). Claim 136 was rejected under 35 U.S.C. 103(a) as being unpatentable over the Dubin reference in view of the Fairbairn reference, Andricacos reference, and the Electroplating Engineering Handbook. Applicants request reconsideration in view of the following remarks.

In rejecting claims 110 and 113, the Examiner asserted that the Andricacos reference disclosed a bath with "pairs of opposed walls" and "[o]ne wall is adjacent to a first portion of the

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substrate while a second wall is adjacent to a second portion of the substrate as recited in claims 110 and 113." Independent claims 110, 113 and 142, however, recite that, "the first portion and the second portion are portions of the same surface on the substrate." In the Andricacos reference, as depicted in Fig. 2, the walls within cell 10 are adjacent different surfaces of workpiece 16.

Thus, Applicants assert that claims 110, 113 and 142 are allowable because the combination of the Dubin reference, Fairbairn reference and Andricacos reference does not disclose each and every element of claims 110, 113 and 142. Additionally, Applicants assert that claims 111, 112, 114-141, and 143-159 are allowable, for at least the reason that they depend from allowable independent claims.

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III. Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and/or the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **495152000111**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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